

1 **HOUSE JOINT RESOLUTION NO. 35**

2 (By Delegates Anderson, Nelson, Azinger, Howell, Duke,
3 Savilla, Overington, O'Neal, Gearheart,
4 Storch and Pasdon)
5

6 Proposing an amendment to the Constitution of the State of West
7 Virginia, amending Article X by adding thereto a new section,
8 designated section one-d, relating to authorizing the
9 exemption from ad valorem taxation of tangible personal
10 property directly used in commercial and industrial
11 businesses; numbering and designating such proposed amendment;
12 and providing a summarized statement of the purpose of such
13 proposed amendment.

14 *Resolved by the Legislature of West Virginia, two thirds of*
15 *the members elected to each house agreeing thereto:*

16 That the question of ratification or rejection of an amendment
17 to the Constitution of the State of West Virginia be submitted to
18 the voters of the state at the next general election to be held in
19 the year 2012, which proposed amendment is that Article X be
20 amended by adding thereto a new section, designated section one-d,
21 to read as follows:

22 **§1d. Exemption from ad valorem taxation of manufacturing inventory**
23 **and equipment.**

24 Notwithstanding any other provision of the Constitution,
25 tangible personal property purchased after June 30 of the year next
26 succeeding the ratification of this amendment, and, which property

1 is directly used in commercial and industrial businesses, or, such
2 components thereof as the Legislature may in its discretion
3 designate, shall be exempt from ad valorem taxation.

4 *Resolved further,* That in accordance with the provisions of
5 article eleven, chapter three of the Code of West Virginia, 1931,
6 as amended, such proposed amendment is hereby numbered "Amendment
7 No. 1" and designated as the "Manufacturing Inventory Amendment,"
8 and the purpose of the proposed amendment is summarized as follows:
9 "To amend Article X of the State Constitution to permit the
10 Legislature to exempt from ad valorem taxation tangible personal
11 property directly used in commercial and industrial businesses, or
12 such components thereof as the Legislature may in its discretion
13 designate."

NOTE: The purpose of this resolution is to permit the Legislature to exempt from ad valorem taxation tangible personal property directly used in commercial and industrial businesses, or such components thereof as the Legislature may in its discretion designate.

Strike-throughs indicate language that would be stricken from the present Constitution, and underscoring indicates new language that would be added.